

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF OKLAHOMA**

(1) KIMBERLY POFF,)	
)	
Plaintiff,)	
)	
vs.)	Case No. <u>CIV-15-936-R</u>
)	
(1) OKLAHOMA DEPARTMENT)	
OF HUMAN SERVICES;)	
(2) ED LAKE, an individual; and)	
(3) TONY BRYAN, an individual,)	
)	
Defendants.)	

NOTICE OF REMOVAL

1. The Oklahoma Department of Human Services ("DHS"), and its employees, Ed Lake and Tony Bryan, are defendants in a civil action brought against them in the District Court of Oklahoma County, State of Oklahoma, and titled Kimberly Poff v. Oklahoma Department of Human Services, et al., Case No. CJ-2015-737 (Oklahoma County District Court).

2. At the time of filing this action and at the present time, the Plaintiff was and is seeking recovery in this case against all of the Defendants pursuant to 42 U.S.C. §1983 for alleged violations of the 1st Amendment to the United States Constitution (with pendent state claims).

3. This is the kind of action for which the United States District Courts have original jurisdiction pursuant to 28 U.S.C. §1331 and §1343(3) because Plaintiff's claims arise under the Constitution, laws or treaties of the United States and under 42 U.S.C. §1983.

4. The aforementioned action was commenced on February 5, 2015, and service of summons in the case was then made upon Defendant DHS on August 3, 2015, and upon Defendant Ed Lake and Defendant Tony Bryan on August 5, 2015, and this Notice of Removal is therefore timely filed by them under the provisions of 28 U.S.C. §1446.

5. Copies of all process, pleadings and orders filed in the aforementioned state action and/or served upon the Defendants (and a copy of the state court's docket sheet in that case) are attached hereto, marked Exhibits "1" through "13" and made a part hereof.

Respectfully submitted,

s/ RICHARD W. FREEMAN, JR.

Richard W. Freeman, Jr. (OBA #3130)

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*Attorneys for Defendants Oklahoma
Department of Human Services,
Ed Lake, and Tony Bryan.*

CERTIFICATE OF SERVICE

I certify that on the same date this Notice of Removal was filed in the United States District Court for the Western District of Oklahoma that a true and correct copy of this Notice of Removal was served upon the above-named Plaintiff by mailing said copy to the following attorney of record for the Plaintiff, and that a copy of said Notice of Removal was delivered to said Court Clerk of Oklahoma County, Oklahoma, for filing this 31st day of August, 2015:

Rachel L. Bussett
Bussett & Floyd, PLLC
3555 N.W. 58th St., Suite 1010
Oklahoma City, OK 73112

Attorney for Plaintiff.

s/ RICHARD W. FREEMAN, JR.
Richard W. Freeman, Jr.